

ASSEMBLY BILL

No. 398

Introduced by Assembly Member Fox

February 15, 2013

An act to amend Section 3301 of the Government Code, relating to public safety officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 398, as introduced, Fox. Public safety officers.

(1) The Public Safety Officers Procedural Bill of Rights Act excludes coroners and deputy coroners from the application of the act.

This bill would include coroners and deputy coroners within the application of the act, thereby creating a state-mandated local program by imposing new duties on local agencies to follow the requirements of the act with respect to these persons.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3301 of the Government Code is amended
2 to read:

1 3301. For purposes of this chapter, the term ~~public safety officer~~
2 “*public safety officer*” means all peace officers specified in
3 Sections 830.1, 830.2, 830.3, 830.31, 830.32, 830.33, except
4 subdivision (e), 830.34, 830.35, ~~except subdivision (e)~~, 830.36,
5 830.37, 830.38, 830.4, and 830.5 of the Penal Code.

6 The Legislature hereby finds and declares that the rights and
7 protections provided to peace officers under this chapter constitute
8 a matter of statewide concern. The Legislature further finds and
9 declares that effective law enforcement depends upon the
10 maintenance of stable employer-employee relations, between public
11 safety employees and their employers. In order to assure that stable
12 relations are continued throughout the state and to further assure
13 that effective services are provided to all people of the state, it is
14 necessary that this chapter be applicable to all public safety officers,
15 as defined in this section, wherever situated within the State of
16 California.

17 SEC. 2. If the Commission on State Mandates determines that
18 this act contains costs mandated by the state, reimbursement to
19 local agencies and school districts for those costs shall be made
20 pursuant to Part 7 (commencing with Section 17500) of Division
21 4 of Title 2 of the Government Code.